



*United States Attorney
District of Maryland
Northern Division*

*Thomas M. DiBiagio
United States Attorney*

*Nadira Clarke
Assistant United States Attorney*

*6625 United States Courthouse
101 West Lombard Street
Baltimore, Maryland 21201-2692*

*410-209-4800
TTY/TDD: 410-962-4462
410-209-4857
FAX 410-962-2310
Nadira.Clarke@usdoj.gov*

November 6, 2002

VIA U.S. MAIL & FACSIMILE

Carolyn Weiss
Washington Lawyers' Committee for
Civil Rights & Urban Affairs
11 Dupont Circle, NW
Suite 400
Washington, DC 20036

Jonathan S. Nash
Piper Rudnick
6225 Smith Ave.
Baltimore, MD 21209-3600

Re: Jeanette Mellerson v. Barnhardt,
Civ. Action No. L-01-2090

Dear Carolyn and Jonathan:

Your recitation of the law regarding the admissibility of certain evidence of patterns of discriminatory decisions to prove motive or intent is informative. However, at this juncture, in light of the Court's stay of discovery and referral of this case to a United States Magistrate Judge for mediation, I see no reason to respond to it. Your demand that I make certain representations prior to presenting Mr. Brittingham for deposition, and your threat to seek judicial intervention and costs in connection with said deposition are similarly instructive. Here too, however, your choice to raise such issues at this time is perplexing.

It was my understanding that we requested a referral for court supervised mediation in this case because there was a genuine desire to evaluate the possibility of settlement at the earliest possible point. The tone of your letter suggests that perhaps your goals have changed. My client is genuinely interested in settling this matter. If your client feels similarly, I would encourage you

RECEIVED NOV - 7 2002

Letter to C. Weiss and J. Nash, p. 2

to abandon your personal threats, and instead focus on the issue
before us - settlement of this case.

By: 

Nadira Clarke

Assistant United States Attorney

cc: Mary Ann Zimmerman